



Our Reference: VTE-138-B

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Moler et al.  
Serial Number: 10/613,138  
Filing Date: July 3, 2003  
Examiner/Art Group Unit: Unknown/2834  
Title: TEMPERATURE COMPENSATING FOR A  
MECHANICALLY LEVERAGED SMART  
MATERIAL ACTUATOR

**CERTIFICATE OF MAILING AND TRANSMITTAL LETTER**

Mail Stop-Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

Transmitted with this document is a Third Supplemental Information Disclosure Statement, Form PTO 1449 along with required cited references and return receipt postcard in the above-identified application.

☒ No additional fees required.  
☒ Please charge any deficiency or credit any excess in the enclosed fees to Deposit Account Number 25-0115.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on **August 23, 2005**.

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97**

Mail Stop-Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The references listed in the attached form PTO-1449 are cited pursuant to Rule 37 C.F.R. 1.56 to meet the duty to disclose to the Patent Office all information known to the inventor, attorney or any other person who is substantively involved in the preparation or prosecution of the application or who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in § 1.56(c), a copy of the translation accompanies this Statement.

Pursuant to 37 C.F.R. § 1.97(c) and (e)(2) this Information Disclosure Statement includes the following Certification that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the Certification after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Statement.

Application S.N. 10/613,138  
Date, August 23, 2005  
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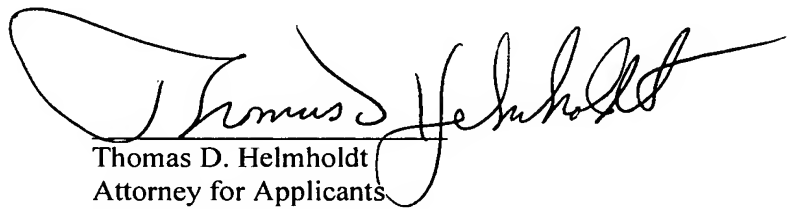
The cited references were found within the last three months as a result of Examination of related application S.N. 10/997,731 which cited additional art along with the Notice of Allowance dated May 24, 2005.

A copy of each cited reference is not enclosed pursuant to United States Patent and Trademark Office OG Notices: 05 August 2003 which waives the requirement to submit a copy of each cited U.S. Patent and U.S. Patent Application Publication for all U.S. National Patent Applications filed after June 30, 2003. US Patent No. 4,686,338 is submitted as a translation corresponding to JP-60-180026.

These references constitute all the information of which the individuals pursuant to 37 C.F.R. § 1.56(c) are currently aware.

Respectfully Submitted,

YOUNG, BASILE, HANLON,  
MacFARLANE, WOOD, & HELMHOLDT, P.C.

A handwritten signature in black ink, appearing to read "Thomas D. Helmholdt", is written over a horizontal line.

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FORM PTO-1449

## LIST OF REFERENCES CITED BY APPLICANT

ATTY. DOCKET NO.

VTE-152-B

SERIAL NO.

10/817,511

APPLICANT

Bugel et al.

FILING DATE

04/2/2004

GROUP

3745

## U. S. PATENT DOCUMENT

EXAMINER INITIALS		PATENT NO.	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE
	AA	6,870,305	3/22/05	Moler			5/14/04
	AB	4,686,338	8/11/1987	Kashiwagi et al.			2/6/1985
	AC						
	AD						
	AE						
	AF						
	AG						
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	AK						
	AL						
	AM						
	AN						

## FOREIGN PATENT OR PUBLISHED PATENT APPLICATION

		DOCUMENT NO.	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION
	AS	US 2004/0035106	2/26/2004	US			N/A
	AR	US 2004/0045148	3/11/2004	US			N/A
	AO	JP-60-180026	9/13/1985	Japan			US 4,686,338

## OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not considered. Include a copy of this form with next communication to applicant.

